

Morgan Lewis

Tamar E. Finn

Danielle C. Burt

tamar.finn@morganlewis.com

danielle.burt@morganlewis.com

REDACTED - FOR PUBLIC INSPECTION

August 1, 2019

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

**Re: WRITTEN EX PARTE COMMUNICATION
CG Docket No. 13-24 - In the Matter of the Misuse of Internet Protocol (IP)
Captioned Telephone Service; CG Docket No. 03-123 - Telecommunications
Relay Services and Speech-to-Speech Services for Individuals with Hearing and
Speech Disabilities**

Dear Ms. Dortch:

On behalf of ClearCaptions, LLC enclosed for filing is the redacted version of a Written Ex Parte Communication for filing in the above referenced proceedings. This version of the filing has been marked "REDACTED – FOR PUBLIC INSPECTION", in accordance with the Protective Orders issued in the proceedings.

Any questions relating to this submission should be directed to the undersigned.

Respectfully Submitted,

/s/ Tamar E. Finn

Tamar E. Finn
Danielle C. Burt

Counsel for ClearCaptions, LLC

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Avenue, NW
Washington, DC 20004-2541
United States

T +1.202.739.3000
F +1.202.739.3001

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Tamar E. Finn

Danielle C. Burt

tamar.finn@morganlewis.com

danielle.burt@morganlewis.com

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August 1, 2019

Via Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

**Re: WRITTEN EX PARTE COMMUNICATION
CG Docket No. 13-24 - In the Matter of the Misuse of Internet Protocol (IP)
Captioned Telephone Service; CG Docket No. 03-123 - Telecommunications
Relay Services and Speech-to-Speech Services for Individuals with Hearing
and Speech Disabilities**

Dear Sir or Madam:

ClearCaptions, LLC ("ClearCaptions"), through its undersigned counsel, files this letter regarding the automatic speech recognition ("ASR") platform ClearCaptions intends to test on its Internet Protocol Captioned Telephone Service ("IP CTS") service and products.

ClearCaptions plans to test the accuracy and reliability of ASR by *****BEGIN HIGHLY
CONFIDENTIAL*****

*****END HIGHLY**

CONFIDENTIAL*** who are trained on and subject to the Commission's call confidentiality

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Avenue, NW
Washington, DC 20004
United States

T +1.202.739.3000
F +1.202.739.3001

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requirements. *****BEGIN HIGHLY CONFIDENTIAL*****

*****END HIGHLY CONFIDENTIAL***** in accordance with current FCC rules,¹ the ASR engine will not retain any of the captions, call audio, or call content from the call after the call has completed.

Just as it does with its third-party contracted call centers, *****BEGIN HIGHLY CONFIDENTIAL*****

*****END HIGHLY CONFIDENTIAL***** ClearCaptions' contract with the ASR provider prohibits the ASR provider from maintaining captions, call audio, or any call content after a call has ended. The contract further requires the ASR provider and its employees to maintain the confidentiality of every call.

Because the customer will not experience any changes to its service during the test period, at this time ClearCaptions does not plan to provide notice to the customer about the simultaneous ASR captions. ClearCaptions' Terms of Service provide notice to its customers that the service may involve use of speech recognition software to assist in converting spoken words into captioned text, and users agree that ClearCaptions' may use their information to assess and improve ClearCaptions' services. Therefore, users have sufficient notice that technology such as ASR may be employed to enhance ClearCaptions' services.

ClearCaptions believes that the Commission's rules do not require ClearCaptions to seek or obtain certification and/or a waiver for ClearCaptions to commence the ASR test period as described. In June 2018, the Commission decided that "the *provision of ... IP CTS using ASR* to generate captions is a form of relay service"² and authorized the Bureau "to review and approve applications for certification *to provide IP CTS by means of ASR* in whole or in part[.]"³ During the testing period described in this letter, ClearCaptions will not be *providing* IP CTS via use of ASR. The captions generated by ASR will not appear on the customers' end points (phone or app). Instead, ClearCaptions intends to use the ASR testing period only for research, development and planning purposes.

For example, ClearCaptions anticipates that the ASR testing will *****BEGIN HIGHLY CONFIDENTIAL*****

*****END HIGHLY CONFIDENTIAL***** ClearCaptions also anticipates that the test will assist ClearCaptions to determine the situations in which *****BEGIN HIGHLY**

¹ See 47 C.F.R. § 64.604(a)(2).

² *Misuse of Internet Protocol (IP) Captioned Telephone Services; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, Declaratory Ruling, Further Notice of Proposed Rulemaking, and Notice of Inquiry, CG Docket Nos. 13-24 and 03-123, 32 FCC Rcd 5800, 5827, ¶ 48 (2018) (emphasis added).

³ *Id.* 32 FCC Rcd at 5832, at ¶ 60 (emphasis added).

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*****END HIGHLY CONFIDENTIAL***** The testing period also will be critical in assisting ClearCaptions to determine whether waiver of any Commission rules would be required in connection with ClearCaptions' future use of ASR to caption calls for its customers.

ClearCaptions would appreciate receiving confirmation that the Commission staff agrees that ClearCaptions does not need to seek and receive certification and/or a waiver to test ASR as described in this letter for this test period.

Please contact the undersigned if you have any questions.

Respectfully submitted,

/s/ Tamar E. Finn

Tamar E. Finn
Danielle C. Burt

Counsel to ClearCaptions, LLC

cc: Diane Burstein
Robert Aldrich
Eliot Greenwald
Michael Scott
David Schmidt
TRSReports@fcc.gov